

### **REMARKS**

Claims 1-4, and 6-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kozmark (US 4,221,402). Accordingly, claims 1 and 4 are being amended to recite in detail the structure of the locating members which make possible the locking of the legs of the bracket members in any desired position along the lengths of their legs. Such an arrangement is clearly not shown in Kazmark. There is ample support in the specification for the added limitations, see, for example, page 5, lines 24-28 and page 6, lines 1-2 and lines 12-22, and discussed in the response filed April 19, 2005. The amendments to the claims are not believed to constitute new matter nor to require additional searching.

Inasmuch as Kazmark fails to show the locating and locking members as now claimed in claims 1-4, and 6-9 (claims 2-4 and 6-9 being dependent, directly or indirectly on claim 1) it is believed that these claims are clearly patentable over the Kazmark reference.

Claim 5 stands rejected under 35 U.S.C. §103 as unpatentable over Kazmark in view of Allen (US 3,788,659). Claim 5 is dependent upon claim 2 which is, in turn, dependent on amended claim 1, hence it is believed allowable for the same reasons as claim 1.

In like manner, claim 10, rejected on Kazmark in view of Osaki (US 5,685,552) is likewise believed to be allowable, being dependent on claim 6 which, in turn, is dependent on amended claim 1, for the same reasons as claim 1.

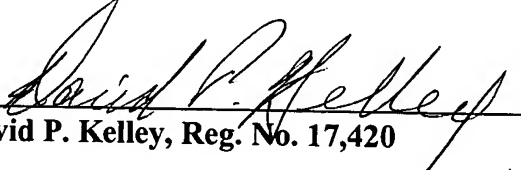
Claim 12 (dependent on claim 2) and claims 13 and 14 (dependent on claim 12) stand rejected under 35 U.S.C. §103(a) as unpatentable over Kazmark. It is believed that these claims are patentable over Kazmark as thus applied for the same reasons as claim 2 (and amended claim 1).

Claims 25-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kazmark in view of Tisbo, *et al.* (US 5,887,878). Tisbo, *et al.* shows a tapered nut arrangement for locking the end of a tubular leg to its receiving socket in which it is seated, as shown in Fig. 8. The arrangement of Fig. 8 does not allow for longitudinal adjustment and affixing, as does the structure claimed in amended claim 1 (upon which claims 25-28 depend, directly or indirectly) and claims 25-28. There is no indication or suggestion that the structure of Fig. 8 of Tisbo *et al.* is usable as an adjustment of length or the height of the brackets of applicant's arrangement, hence, claims 25-28 are believed to be allowable.

In view of the foregoing, it is believed that all of the claims presently in the case, *i.e.*, claims 1 through 10, 12 through 14, 16, and 24 through 28 are clearly allowable over the cited art and combinations thereof.

It is requested therefore, that withdrawal of the Final Rejection and passage of the case to issue is respectfully requested. If the Examiner has any comments or wishes to discuss the case with applicant's attorney, please direct such communications to David P. Kelley at 770-933-9500.

Respectfully submitted,

  
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